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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 MARJORIE OGILVIE,

CASE NO. C18-0718JLR

11 Plaintiff,

ORDER DENYING MOTION TO
CONTINUE TRIAL

12 v.

13 THRIFTY PAYLESS INC., et al.,

14 Defendants.

15 Before the court is the parties' stipulated motion to modify the court's scheduling
16 order. (Stip. Mot. (Dkt. # 34).) For the reasons stated below, the court DENIES the
17 motion.

18 This case was removed to this court on May 17, 2018. (*See* Not. of Rem. (Dkt.
19 # 1).) On July 17, 2018, the court scheduled the case for trial on October 15, 2019. (*See*
20 Sched. Order (Dkt. # 17) at 1.)

21 In support of their stipulated motion, the parties represent that counsel for Plaintiff
22 Marjorie Ogilvie will be unavailable for the October 15, 2019, trial due to a conflict with

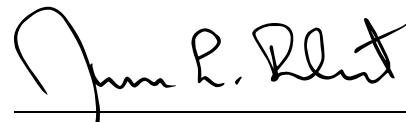
1 a religious holiday. (*See* Stip. Mot. at 1.) The parties did not list this conflict in their
2 joint status report, which the court uses to set trial. (*See* JSR (Dkt. # 16) at 5.) The
3 parties state that they “have agreed to continue the trial and amend the trial schedule for
4 any deadlines that have not already passed.” (Stip. Mot. at 1.) The parties request that
5 the court set a new trial date for July 14-16, 2020. (*Id.*)

6 Absent a showing of good cause, the court does not grant “short” trial
7 continuances. *See* Fed. R. Civ. P. 16(b)(4); (Sched. Order at 2 (“The court will alter these
8 dates only upon good cause shown . . .”)). The court has a full trial calendar and will
9 not imperil the trial dates of other parties, especially when the conflict should have been
10 foreseen. Accordingly, the court DENIES the parties’ stipulated motion. (Dkt. # 34.)

11 Nevertheless, the court will consider moving the parties’ trial date to the end of the
12 court’s trial calendar. If the parties wish to seek this relief, they should file a new
13 stipulated motion to that effect. The parties should be aware that the court is presently
14 scheduling trials in mid-to-late fall of 2020. If the court moves this matter to the end of
15 its trial calendar, the court will also issue a new scheduling order with respect to all
16 remaining pretrial deadlines.

17 Dated this 25th day of June, 2019.

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JAMES L. ROBART
United States District Judge